

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA

PAUL L. BROWNING,	)	3:00-CV-0633-ECR-VPC
	)	
Plaintiff,	)	MINUTES OF THE COURT
	)	
vs.	)	DATE: July 27, 2010
	)	
MCI, WORLDCOM, et al..	)	
	)	
Defendants.	)	
_____	)	

PRESENT: \_\_\_\_\_ EDWARD C. REED, JR. \_\_\_\_\_ U. S. DISTRICT JUDGE

Deputy Clerk: \_\_\_\_\_ COLLEEN LARSEN \_\_\_\_\_ Reporter: \_\_\_\_\_ NONE APPEARING

Counsel for Plaintiff(s) \_\_\_\_\_ NONE APPEARING

Counsel for Defendant(s) \_\_\_\_\_ NONE APPEARING

MINUTE ORDER IN CHAMBERS

On June 30, 2010, the Magistrate Judge filed a Report and Recommendation (#427), addressing the parties' respective motions to enforce the settlement agreement (## 402 and 403). Plaintiff filed Objections (#431) to the Report and Recommendation (#427). The Objections (#431) are without merit and are overruled.

The Magistrate Judge's Report and Recommendation (#427) recommends that Defendants be ordered to pay Plaintiff \$25.42. This sum compensates for a shortfall in the number of songs on the MP3 player provided to Plaintiff. Defendants have filed a Notice of Compliance (#429), indicating that a payment of \$25.42 has been made to Plaintiff's Trust II account.

Plaintiff's claims have already been dismissed with prejudice (see Order (#400)), the action has already been administratively closed, and the parties have fulfilled their respective obligations under the settlement agreement. As such, there is no appropriate basis for any further filings in this case.

The Report and Recommendation (#427) is well taken. **IT IS HEREBY ORDERED** that the Report and Recommendation (#427) is **APPROVED** and **ADOPTED**.

**IT IS, THEREFORE, HEREBY ORDERED** that Defendants' Motion to Enforce Settlement Agreement (#402) is **GRANTED IN PART** and **DENIED IN PART** on the

following basis: Defendants substantially complied with the terms of the settlement agreement; because the payment of \$25.42 has been made, Defendants have now completely satisfied their obligations under the settlement agreement.

**IT IS FURTHER ORDERED** that Plaintiff's Motion (#403) is **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiff's pending Motions (#418 and #420) are **DENIED** as moot.

**IT IS FURTHER ORDERED** that the Clerk shall enter judgment in accordance with our Order (#400) dismissing Plaintiff's claims with prejudice, on the stipulation of the parties.

**IT IS FURTHER ORDERED** that no further filings will be received in this case.

LANCE S. WILSON, CLERK

By \_\_\_\_\_ /s/  
Deputy Clerk